

**THE NOTES BELOW REPRESENT
NOTES AFTER THE SECOND CHECK
HAS BEEN COMPLETED. NO FURTHER
DOCUMENTS WILL BE REVIEWED PRIOR
TO HEARING.**

Proposed Local Rules have been posted and can be viewed by visiting
<http://www.sbcounty.gov/courts/pdfs/misc/proposedrules.pdf>

The court welcomes your comments on these proposed rules. Please send them via E-mail to dmeyers@courts.sbcounty.gov or mail them to San Bernardino County Superior Court, 303 West Third Street, Mail Stop 240, San Bernardino, CA 92415. Comments are due by May 12, 2008. If sending comments close to the end of the comment period, please email only.

The Probate Examiners can be reached at ProbateNotes@courts.sbcounty.gov. Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

PROBATE

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600273

CASE NAME: MTR OF JOHN BARTLEY HAMOR JR

HEARING:

FIRST & FINAL Account and Report of JOHN B HAMOR and Petition
for allowance of fees filed.

COUNSEL:

JOHN B HAMOR (PET)...DAVID W BROWN
JOHN BARTLEY HAMOR JR (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON First and final account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration issued 9/14/07.
2. Petitioner states that he advanced \$1,500 to estate but a request for reimbursement of those funds is not made.
3. Petitioner and attorney each request \$10,800 statutory fees (attorney's fee to be reduced by \$334 for balance of attorney trust account left over from client advance). Calculated.
4. Real property was sold during administration. Full IAEA powers were granted.

RECOMMENDATION

Recommended for approval, absent objection. Set hearing for filing of receipts and final discharge order for 05-13-09.

(/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700031

CASE NAME: **MF** JESUS DURAN CANCHOLA.

HEARING:
Hearing Re: STATUS OF SETTLEMENT.

COUNSEL:
VICTORIA L CHAVEZ (PET)...WILLIAM M NASSAR & ASSOCIATES
JESUS DURAN CANCHOLA (DEC)...
ALICE DE LEON (PET)...MCCLELLAN & WILSON
D HERSHEL WILSON (TP)...D. HERSHEL W ILSON
DEPARTMENT OF HEALTH SERVICES (PRO/PER)...PRO/PER

No notes – status.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700729

CASE NAME: CONSTANCE J NIEMIETZ

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

JUNE BOWMAN (PET)...DENNIS M SANDOVAL
CONSTANCE J NIEMIETZ (DEC)...
DEPT. OF HEALTH CARE SRVCS EST(TP)...PRO/PER

GENERAL INFORMATION

Continued from 3/12/08 to file I&A. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing Inventory & Appraisal.

THE FOLLOWING ISSUES AND / OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration issued on 1/15/08 with \$100,000 bond.
2. No Inventory and Appraisal filed. Need the same.

RECOMMENDATION:

When Inventory and Appraisal is not filed as ordered, the court may set a hearing in accord with Pr.C. § §8804 and or §8505. Clerk to notice bonding company.

Future Hearing Dates:

11/12/08 Accounting Review

kms/gls

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0701051

CASE NAME: ROSARIO MARIA DOMINGUEZ

HEARING:

Petition for §850 order regarding property claimed by the
Decedent

COUNSEL:

GLORIA CLINGERMAN (PET)...JEFFREY C SQUIRE
ROSARIO MARIA DOMINGUEZ (DEC)...

GENERAL INFORMATION:

Continued from 1/30/08 for notice.

Probate petition granted 1/30/08.

Continued from 3/26/08 to clear notes.

THIS CASE IS SET FOR HEARING ON Petition for §850 Order Regarding Property
Claimed by decedent

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Parties were served by mail with Notice and Acknowledgment of Receipt. Need return of Acknowledgments or need personal service. **Five signed Notices of Acknowledgement of Receipt were filed. However, two were signed by "Julia Dominguez on behalf of" recipient. Question how this is valid. Need verified supplement.**
2. Petitioner, Gloria Clingerman, is the daughter of decedent and an intestate heir. Decedent died on 7/3/07. Petitioner alleges that five of her siblings used undue influence prior to decedent's death to transfer certain parcels of real property out of decedent's name for the benefit of the five siblings either individually or collectively. In addition, petitioner alleges that one of the siblings took a rare 1943 copper penny valued at \$60,000-\$82,500. Petitioner believes that her sibling, Mario Dominguez, is still in possession of the penny. Petitioner requests that the court determine that the real property be considered an estate asset and that respondents be liable for twice the value of the loss per Pr.C. §859.

3. Objection filed by Mario Dominguez.

RECOMMENDATION:

Need notice and then set for contested hearing.
(gls)

FUTURE HEARING DATES:

8/20/08 Hearing re: Inventory and appraisal
4/08/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800095

CASE NAME: DOROTHY A. ZARLEY

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

SANDI DOUGHTY (PET)...GEORGE L. MARTIN
DOROTHY A. ZARLEY (DEC)...

GENERAL INFORMATION

Continued from 3/26/08. No appearance. Clerk mailed notice.

THIS CASE IS SET FOR HEARING ON

Petition for letters of administration, full authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Need notice of petition to administer and proof of service or due diligence for Mary Lewis. **Notice of petition to administer and proof of service filed for one person (Sandi Doughty.) Need same for all entities listed in section 9 of petition.**

RECOMMENDATION

RFA subject to note 2. If approved, court to set hearing on filing inventory and appraisal for 12/10/08. Set hearing on accounting review for 7/15/09. Accounting to be filed 30 days advance.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800145

CASE NAME: ALMA WOODMAN

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

DOREEN RYSSEL-HUGHBANKS (PET)...ROBERTA L. TAYLOR & ASSOCIATES
ALMA WOODMAN (DEC)...

GENERAL INFORMATION

Continued from 4/9/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON

Petition for letters of administration, full authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is not an heir. Both heirs have signed nomination/consent to appointment of petitioner.
2. Petitioner requests no bond in lieu of deposit to blocked accounts. Estimated estate is \$129,600 personal property. It is unclear whether all assets are cash on deposit for which blocked account would be effective (as opposed to other forms of personal property). JTD.

RECOMMENDATION

RFA. If approved, set future hearings for proof of blocked account on 6/11/09, set filing of Inventory & Appraisal on 12/10/08 and for Accounting Review on 7/15/09. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800265

CASE NAME: HILDA R. GARDNER

HEARING:

Petition to determine succession to Real Property

COUNSEL:

NEVA HYROWSKI	(PET)...	DEBRA S POPINEAU
HILDA R. GARDNER	(DEC)...	

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

Petition to determine succession to real property.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Decedent was a resident of this county but left real property in Kern County that is the subject of this petition.
2. I&A filed indicating \$26,000 real property value.
3. Petition appears procedurally correct.

RECOMMENDATION

Recommended for approval, absent objection.

(/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800279

CASE NAME: MARKE CARSON HUTCHENS

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

DOYLE WAYNE HUTCHENS (PET)...PRO/PER
MARKE CARSON HUTCHENS (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

Petition for letters testamentary, full authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need proof of publication.
2. Caption of petition does not specify that IAEA powers are sought and whether full or limited. Does court wish to require correction?
3. Petitioner is sole beneficiary, waives bond.
4. Will is a mixture of a pre-printed form and holographic completion of the form. Substantial portions of the will are holographic. The testamentary intent is contained in the preprinted form used by decedent and therefore it is allowable per Pr.C. 6111(c). However, need Proof of Holographic Will.

RECOMMENDATION

Need to clear notes.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800289

CASE NAME: Gloria Maxine Allison

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

GEORGE E ALLISON III (PET)...MCCLELLAN & WILSON
KEVIN M ALLISON (PET)...MCCLELLAN & WILSON
GLORIA MAXINE ALLISON (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Petition for letters testamentary.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need proof of publication.
2. Need notice of petition to administer and proof of service.
3. Will waives bond.

RECOMMENDATION

RFA subject to notes 1 and 2, no bond. If approved, set hearing re Inventory & Appraisal for 12/10/08. Set accounting/status review for 7/15/09. Accounting to be filed 30 days prior. Note Local Rule re filing of bank/investment statements.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800297

CASE NAME: MTR OF EDWARD LEE GARNER

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

RICKEY E MCINTYRE (PET)...PRO/PER
EDWARD LEE GARNER (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Petition for letters of administration.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need notice of petition to administer and proof of service.
2. Petitioner requests no bond on the basis that all heirs waive bond. Petitioner is a NC resident and this court typically requires bond of non-resident representatives. Suggest \$425,000 bond or possible minimum bond (\$20,000) if bond waivers are filed.

RECOMMENDATION

RFA subject to note 1 and court's determination re bond. If approved, set hearing re Inventory & Appraisal for 12/10/08. Set accounting/status review for 7/15/09. Accounting to be filed 30 days prior. Note Local Rule re filing of bank/investment statements.

(/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06989

CASE NAME: EST OF LUREE BALCOM

HEARING:

FIRST CURRENT Account and Report of LORRAINE LANE and Petition
for allowance of fees filed.

COUNSEL:

LORRAINE LANE	(PET)...	JAMES B CHURCH
LUREE BALCOM	(DEC)...	
LORNA GLENN	(TP)...	ROGER VON KAESBORG

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON First account current.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration issued 9/1/06.
2. Did decedent have a predeceased spouse who received Medi-Cal benefits?
Need verified supplement.
3. Fees are not requested in this accounting – deferred until a final accounting.
4. Petitioner reports that the estate is in a condition to be closed. However, this is not a final accounting, no distribution is proposed, and petitioner requests additional time to administer the estate without explanation. Need verified supplement.
5. Need bank/investment statements per Local Rule 20-908.
6. **Objection** filed by Lorna Glenn.

RECOMMENDATION

Contested matter. Set for contested hearing.

(/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07275

CASE NAME: ESTATE OF WILLIAM DONALD SCOTT

SEE ALSO 12

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
WILLIAM P SCOTT (PET)...MICHAEL S. ARNOLD
WILLIAM DONALD SCOTT (DEC)...

GENERAL INFORMATION

Continued from 11/26/07 at request of counsel. Nothing new filed.
Continued from 1/10/08. No appearance. Court also set OSC re failure to appear.
Clerk mailed notice. Nothing new filed.
Continued from 3/26/08 at request of counsel to file I&A and accounting. Nothing new filed. OSC re sanctions dismissed.

THIS CASE IS SET FOR HEARING ON OSC re filing of bank statements

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need bank statement for I&A.
2. Need accounting.
3. Note: Current bond is \$55,000. Per inventory value, less encumbrance on real property, it appears bond is insufficient by \$123,500. Court may wish to set OSC re bond sufficiency.
4. Notice of Non-Payment of Bond Premium filed.

RECOMMENDATION:

When documents are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505. Clerk to notice bonding company. Court may wish to also set OSC re bond sufficiency.
(/gls/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07275

CASE NAME: ESTATE OF WILLIAM DONALD SCOTT

SEE ALSO 11

HEARING:
Accounting Review

COUNSEL:
WILLIAM P SCOTT (PET)...MICHAEL S. ARNOLD
WILLIAM DONALD SCOTT (DEC)...

See prior page.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS002733

CASE NAME: ESTATE OF MARCOS SOTO JR

HEARING:

CURRENT Account and Report of GILBERT ANAYA and Petition for allowance of fees filed.

COUNSEL:

GILBERT ANAYA (PET)...RIPLEY & ASSOCIATES
MARCOS SOTO JR (DEC)...
CAMARENA & PLESE ATTORNEY'S AT(TP)...CAMARENA & PLESE

GENERAL INFORMATION:

Continued from 10/29/07 for proof of service.

Continued from 11/28/07. No appearance. Clerk mailed notice.

Continued from 1/23/08 at request of counsel. Working on probate note 2.

Continued from 3/26/08 to file supplement.

THIS CASE IS SET FOR HEARING ON Second Amended Waiver of Account and Petition for Fees and Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Sole heir waives an accounting.
2. Decedent died intestate. Proposed distribution proposes the estate be distributed to Tracy Anaya (sole intestate heir as daughter of decedent) and Gilbert Anaya (petitioner and spouse of sole heir). Question if Tracy Anaya has assigned a half interest to petitioner. File an assignment of interest from Tracy Anaya or verified supplement correcting the proposed distribution. **Supp: Amended petition filed (one page) stating that Gilbert is not an heir and Tracy is the sole heir.**
3. Petitioner waives compensation.
4. Attorney requests statutory fee of \$9,000.00. As agreed to by the current and former attorney for administrator, the statutory fee will be divided equally between the two law offices. Calculated.

5. Petitioner requests to withhold \$3,000 for closing expenses.

RECOMMENDATION:

RFA. If approved, set hearing re receipts and final discharge for 5/13/09.

(abs/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS002761

CASE NAME: ESTATE OF KATHIE JO STEVENS

HEARING:
Accounting Review

COUNSEL:
JUDITH LEE BROWN (PET)...DAVID W BROWN
KATHIE JO STEVENS (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. First account current granted 11/7/07. Real property needed to be sold.
2. Need accounting or status report.

RECOMMENDATION

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS002859

CASE NAME: ESTATE OF TODD ARTHUR STRAUMANN

HEARING:
Hearing Re: PROOF OF BLOCKED ACCOUNT.

COUNSEL:
PAULINE STRAUMANN (PET)...DAVID W BROWN
TODD ARTHUR STRAUMANN (DEC)...

GENERAL INFORMATION

Continued from 10/31/07.

Continued from 12/5/07 Counsel waiting for letter from bank with new proof of blocked account. Nothing new filed.

Continued from 1/30/08 and 3/24/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Proof of Blocked account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Matter set on court's own motion as the distribution of assets indicates that the distribution to a minor (5) beneficiary would be placed in a blocked account. The receipt filed for minor's distributive share does not indicate the assets were placed in a blocked account. **Declaration of Counsel is filed indicating that the bank cannot provide a proof of blocked account since the Order does not specifically state that the account needs to be blocked. Amended Order granted 4/10/08 with blocked account verbiage.**
2. **Need proof of blocked account.**

RECOMMENDATION:

Need proof of blocked account.
(abs/gls)

Future Dates 7/23/08 Hearing re Final Discharge

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS002885

CASE NAME: ESTATE OF OSCAR WEBB SR

HEARING:

Accounting Review

COUNSEL:

LEONDRA R JOHNSON (PET)...LAW OFFICE OF KENNETH E OSTROV
NATHANIEL WEBB (PET)...LAW OFFICE OF KENNETH E OSTROV
OSCAR WEBB SR (DEC)...

GENERAL INFORMATION:

Continued from 2/28/07 at request of counsel to file an accounting. Nothing new filed.
Continued from 4/25/07. No appearance. Court to matter for OSC re sanctions. Clerk
mailed notice to counsel. Nothing new filed.

Continued from 7/11/07. No appearance. Citation issued to Leondra Johnson and
Nathaniel Webb to appear 8/22/07

Continued from 8/22/07, 11/14/07 AND 01-09-08. Citation reissued to Counsel, Kenneth
Ostrove. Nothing new filed.

**Continued from 3/19/08 to file status report. OSC re sanctions dismissed. Nothing
new filed.**

THIS CASE IS SET FOR HEARING ON OSC re sanctions for failure to appear and/or file
a status report or accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 1/27/06, no bond required.
2. Matter is set for accounting review. No accounting/status report has been filed.
3. Proof of Service is filed indicating process server could not effect service of
Citation as individual was unknown at address given. Citation reissued to
counsel, Kenneth Ostrove.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall
take action as specified in Pr.C. § 11050 et seq. There is no bond company to notice.

(/vet/gls/abs)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS003083

CASE NAME: ESTATE OF JUAN C LOPEZ

SEE ALSO 17A

HEARING:

Petition for termination of further proceedings and discharge of
administrator

COUNSEL:

MARY MCGUIRE (PET)...PRO/PER
JUAN C LOPEZ (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Termination of Further Proceedings
due to no Property Subject to Administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that after her appointed she was unsuccessful in a small
claims appeal to collect a judgment in favor of decedent. Petitioner alleges
there is no other property subject to administration. However, petitioner has
inventoried two vehicles which petitioner self-appraised at \$3,025.00.
Question what happened to these vehicles? File verified supplement.
2. Need to file notice of hearing and proof of service upon Yolanda Valencia,
Carlos Lopez, Rosemary Echeverria, Juan Manuel Lopez and Albert Lopez.

RECOMMENDATION:

Need to clear notes.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS003083

VACATE – PETITION TO TERMINATE PROCEEDINGS FILED

CASE NAME: ESTATE OF JUAN C LOPEZ

SEE ALSO 17

HEARING:
Accounting Review

MARY MCGUIRE
JUAN C LOPEZ

COUNSEL:
(PET)...PRO/PER
(DEC)...

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS003177

CASE NAME: ESTATE OF IRMA JOHANNA LINSENMEYER

HEARING:
Waiver of account and for final distribution.

COUNSEL:
HAZEL LEONARD (PET)...KENNETH M BYRUM
IRMA JOHANNA LINSENMEYER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual heirs have waived an accounting.
2. Petitioner waives statutory compensation.
3. Attorney requests statutory fees of \$4,870.00. However, the statutory basis is \$100,000 as a result of a loss on sale of \$29,000. Thus, statutory fees calculate to \$4,000.
4. Attorney requests reimbursement of costs advanced of \$770.58. Need itemization of how costs were calculated.
5. Petitioner alleges the specific pecuniary bequests were distributed out of the estate probated in the State of Arizona. Need copies of receipts for such distributions.

RECOMMENDATION:

Need to clear notes 4-5. Statutory fees calculate to \$4,000. If approved, court to set hearing on filing receipts and final discharge for 5/13/09.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

CONSERVATORSHIP

DATE: 05/07/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0600073

CASE NAME: ESTATE OF AMBER DENISE INGRAM

***VACATED- CONSERVATORSHIP TERMINATED, I&A DEEMED FINALIZED, AND
ACCOUNTING WAIVED 12/12/07 (SEE TRANSCRIPT IN FILE).***

HEARING:
Accounting Review

COUNSEL:
JAMES INGRAM (CP)...WIL R MULLINS
CONSUEWELLA INGRAM (CP)...WIL R MULLINS
AMBER DENISE INGRAM (CTP)...JEANNE KENNEDY

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700071

CASE NAME: BARBARA ANN POLAND

SEE ALSO 20A

HEARING:
Petition for ALLOWANCE OF ATTORNEY'S FEES

COUNSEL:
GLEN A POLAND (CPE)...CALDWELL, KENNEDY & PORTER
BARBARA ANN POLAND (CEP)...SANDRA L TURNER
MARCIA SMITH (OBJ)...JEFF GROTKER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Petition for fees by appointed counsel.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Counsel appointed for conservatee seeks \$2,893.75 fees. Itemized, based upon 13.25 hrs at \$150-\$275/hr.
2. Notice of hearing filed. However, notice is inadequate as it does not give 15 day notice. Court should order petitioner to re-notice. Need same.

RECOMMENDATION

Need notice, then court's discretion.

FUTURE HEARING DATES:

6/04/08 Hearing Re: Conservatorship compliance review.
12/03/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700071

CASE NAME: BARBARA ANN POLAND

SEE ALSO 20

HEARING:

Hearing Re: NOTICE OF MOTION AND MOTION TO RELIEVED AS COUNSEL.

COUNSEL:

GLEN A POLAND (CPE)...CALDWELL, KENNEDY & PORTER
BARBARA ANN POLAND (CEP)...SANDRA L TURNER
MARCIA SMITH (OBJ)...JEFF GROTHE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Motion to be Relieved as Counsel

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Attorney Sandra Turner, requests to be relieved as counsel as client/conservatee has moved out of state.

RECOMMENDATION:

Court's discretion.

(gls)

FUTURE HEARING DATES:

6/04/08 Hearing Re: Conservatorship compliance review.

12/03/08 Accounting Review

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800029

CASE NAME: MTR RAMON MORAGA MEZQUITE

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ALEJANDRO MEZQUITA (CPE)...PRO/PER

RAMON MORAGA MEZQUITA (CTP)...

GENERAL INFORMATION

Continued from 3/5/08. Petitioner needed a Spanish interpreter.

Continued from 3/26/08. Court had concerns re petitioner's background check and the medical capacity declaration (incomplete and illegible signature). Court referred matter to PG for review, especially re note 3 (background check). Nothing new filed.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator of person only, by nephew, no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The proposed Conservatee only has Social Security income of \$870.00 a month and states that a conservatorship of the estate would be a burden of the estate. Pr. C. § 1851.5
2. Petitioner seeks medical authority even if the Conservatee objects under Pr. C. § 2356.
3. Petitioner seeks medical consent under Pr. C. § 2355.
4. Capacity declaration is incomplete as to doctor's name and address and there are no initials on page 3. File corrected capacity declaration.
5. Need return of citation for proper service on Conservatee.
6. See CII record in confidential envelope, does not match with confidential screening form.
7. Court Investigator report filed in confidential envelope.
8. Need response from PG re 3/26/08 referral (see above).

RECOMMENDATION

Need to clear notes

(cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800061

CASE NAME: ROSE-MARIE C POWER

SEE ALSO 22A

HEARING:
Petition for Appointment of Conservator

COUNSEL:

RENEE WILSON	(CPE)...	ZUMBRUNN LAW CORPORATION
ROSE-MARIE C POWER	(CEP)...	JANET M HERRING
JEANNE CASE	(OBJ)...	CALDWELL, KENNEDY & PORTER, A.
ROBERT D POWER	(CALDWELL, KENNEDY & PORTER,	
A.)...	CALDWELL,	

GENERAL INFORMATION:

Temporary orders granted on 3/19/08 with bond requirement of \$390,000. No letters have been issued as no bond is yet posted.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, person and estate, by Renee Wilson (daughter) – Petition #1

Competing Petition for Appointment of Conservator, person and estate, by Jeanne Case and Robert Power (daughter and son) – Petition #2

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

Petition #1:

1. Petitioner requests bond be fixed at \$390,600. Appears adequate.
2. Proposed conservatee will attend the hearing.
3. Court Investigator's report is filed (tabbed).
4. **Objections filed by Jeanne Case and Robert Power.**

Petition #2:

1. Petitioners request that bond be waived as proposed conservatee has nominated petitioners as conservator without bond. Court has already required a bond of \$390,000. JTD
2. Petitioners request 2590 powers.
3. Petitioners request a restraining order against Renee Wilson from taking the conservatee to the bank or other financial institution. Also, that Renee Wilson is now allowed 200 yards from the conservatee at any time.
4. Petitioners request that Renee Wilson turn over any and all documents in her possession including trust documents and letters explaining disbursements of personal items, safe deposit box keys and other items of personal property owned by conservatee.
5. Need to file proof of personal service on Renee Wilson for relief sought under notes 3-4.
6. Proposed conservatee will attend the hearing.
7. Need to file Duties of Conservator signed by both petitioners.
8. Court Investigator's report is filed (tabbed)

RECOMMENDATION:

Need to clear notes and set for contested hearing.

(gls)

CIVCAL4 Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800061

CASE NAME: ROSE-MARIE C POWER

SEE ALSO 22

HEARING:
Petition for Appointment of Conservator

	COUNSEL:
RENEE WILSON	(CPE)...ZUMBRUNN LAW CORPORATION
ROSE-MARIE C POWER	(CEP)...JANET M HERRING
JEANNE CASE	(OBJ)...CALDWELL, KENNEDY & PORTER, A.
ROBERT D POWER	(CALDWELL, KENNEDY & PORTER,
A.)...CALDWELL,	

See prior notes (matter 22)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800085

CASE NAME: MTR OF SHARON A HEYWOOD

HEARING:
Petition for Appointment of Conservator

COUNSEL:

WILLIAM HEYWOOD (CPE)...HARTNELL, LISTER & MOORE
SHARON A HEYWOOD (CEP)...MAUREEN MURATORE

GENERAL INFORMATION

Temporary conservatorship of person and estate granted 4/3/08, \$135,000 bond.
Atty Maureen Muratore appointed as counsel for proposed conservatee 3/28/08.

THIS CASE IS SET FOR HEARING ON Petition for conservatorship, person and estate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests \$135,000 bond based upon bondable estate value plus of \$134,133. Appears ok.
2. Petitioner requests medical powers. Need medical capacity declaration.
3. Petitioner requests dementia powers. Need medical capacity declaration.
4. Need return of citation and basis for non-appearance of proposed conservatee or attendance of proposed conservatee.
5. Need notice of hearing and proof of service.
6. Need report of appointed counsel.
7. Temporary Court Investigator's Report filed.
8. Need Attachment 7 to Confidential Screening Form.

RECOMMENDATION

Need to clear notes.

(/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 10:30 DEPT: E1

CASE #: MC MS00171

CASE NAME: CONSERVATORSHIP OF HELEN DORAME

HEARING:
Accounting Review

COUNSEL:
ARMANDO DORANE (PET)...PRO/PER
HELEN DORAME (CEE)...

GENERAL INFORMATION

Continued from 3/18/08. No appearance. Court ordered conservator to be personally present at next hearing and prepare I&A and accounting by 4/7/08. Clerk mailed notice.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Per 9-12-07 minute order the Conservatee died on 2-6-07. We have never received an inventory and appraisal nor a final accounting.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr. C. § 2620.2. There is no bonding company to notice.

NMT

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 10:30 DEPT: E1

CASE #: VC VS00439

CASE NAME: MATTER OF ARMIDA RODRIGUEZ HOLGUIN

SEE ALSO 26

HEARING:
Petition for REMOVAL OF CONSERVATOR AND TO ESTABLISH
VISITATION WITH CONSERVATEE

COUNSEL:

MARIO HOLGUIN	(CPE)...JO ANN MCDOLE
PHILLIP R HOLGUIN	(PET)...FRANK J PRAINITO
YOLANDA WU	(PET)...FRANK J PRAINITO
ARMIDA RODRIGUEZ HOLGUIN	(CEE)...HARTNELL, LISTER & MOORE
E JOAN NELMS	(HARTNELL, LISTER & MOORE)...HARTNELL,
BERNARD M BIDART	(PRO/PER)...PRO/PER

GENERAL INFORMATION:

Continued from 9/27/07 and 11/8/07. Court refers matter to Court Investigator for report.

Continued from 1/15/08. Second and final accounting set for 2/14/08 was continued to be heard with this matter (see other page this date).

Continued from 3/26/08. Court clarified that atty Joan Nelms was appointed for conservatee for all purposes. Court ordered that Phillip Holguin may call conservatee at any time. Visitation orders made.

THIS CASE IS SET FOR HEARING ON Petition for Removal of Conservator and to Establish Visitation with Conservatee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioners are Phillip Holguin and Yolanda Yu, two of six children of conservatee. Petitioners alleges that they are only given monitored visits with conservatee. Petitioner, Phillip, has attempted to arrange an informal visitation schedule, but the conservator has denied him anything but strict

supervised visitation. Likewise, petitioner Yolanda alleges conservator will not allow her visits with conservatee unless they are monitored. Petitioners cite Pr.C. §2650 as authority for the removal of a conservator if the court determines it is in the best interest of the conservatee. Petitioners allege that it is in the conservatee's best interest to have frequent and continuing contact with all of her children. Petitioners allege that the conservator's denied of petitioners' visits are unreasonable and punitive. Finally, petitioners allege that conservatee should be placed in the least restrictive residence that is available and that meets conservatee's needs. **See above re visitation orders.**

2. Petitioner, Yolanda Yu, alleges she will be filing a petition for successor conservatorship under a separate cover.
3. Attorney Prainito, counsel for petitioners, has failed to execute the petition. However, both petitioners have verified the petition.
4. **Response to petition filed by conservator indicating that at no time has conservatee been isolated from other family members.**
5. **Court Investigator's report filed for court review.**

RECOMMENDATION:

Court's discretion.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 10:30 DEPT: E1

CASE #: VC VS00439

CASE NAME: MATTER OF ARMIDA RODRIGUEZ HOLGUIN

SEE ALSO 25

HEARING:

Second Account and Report of MARIO HOLGUIN and Petition for allowance of fees filed.

COUNSEL:

MARIO HOLGUIN	(CPE)...	JO ANN MCDOLE
PHILLIP R HOLGUIN	(PET)...	FRANK J PRAINITO
YOLANDA WU	(PET)...	FRANK J PRAINITO
ARMIDA RODRIGUEZ HOLGUIN	(CEE)...	HARTNELL, LISTER & MOORE
E JOAN NELMS	(HARTNELL, LISTER & MOORE)...HARTNELL,
BERNARD M BIDART	(PRO/PER)...PRO/PER

GENERAL INFORMATION

Matter is also set for petition for removal of conservator and visitation (prior page). Continued from 3/26/08 for review of 3/18/08 supplement. Atty McDole to serve copy of accounting upon Atty Prainito and objections to be filed by 4/14/08.

THIS CASE IS SET FOR HEARING ON Second account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship of person and estate was established in 2005.
2. Accounting period 6/1/05 to 5/31/07 (24 months).
3. Assets on hand \$187,228.92 (\$1,228.92 cash).
4. Petitioner waives fees and cost reimbursement.
5. Atty itemizes \$6,900 fees but agrees to accept \$3,000. JTD.
6. Petitioner requests authority to pay net \$30,552 due to caregiver (above \$35,602 already paid per prior court order). JTD. **Supp: Itemization and Verification of Receipt of Compensation filed.**
7. Need notice of hearing and proof of service for conservatee.

8. Receipts are not itemized but instead are merely presented as category totals (see Schedule A). Suggest court require schedule of itemized receipts. **Supp: Itemization of receipts and disbursements filed.**
9. **Objections to 2nd Account Current filed by court appointed counsel for conservatee.**
10. **Reply to Objections to 2nd Account Current filed by conservator.**

RECOMMENDATION:

Contested matter. Set for contested hearing.

(/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

MISC.

DATE: 05/07/08 TIME: 1:30 DEPT: E1

CASE #: PROPS0701047

CASE NAME: MTR ABEL A GONZALES

SEE ALSO 28 & 29

HEARING:
Court Trial -- Estimated trial length *** hrs.

COUNSEL:

CHRISTINE RAMEY	(PET)...	JEFFREY C MAYES
ABEL A GONZALES	(DEC)...	
SENNI GONZALES	(MIN)...	MELVIN L FRIEDLAND
BITIA GONZALES	(MIN)...	MELVIN L FRIEDLAND
MIA J GONZALES	(OBJ)...	SAMUELS, GREEN, STEEL, & ADAMS,
MELVIN L FRIEDLAND	(MELVIN L FRIEDLAND)...MELVIN L

No notes – trial. (See underlying petition at page 29.)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 1:30 DEPT: E1

CASE #: PROPS0701047

CASE NAME: MTR ABEL A GONZALES

SEE ALSO 27 & 29

HEARING:
Petition for DETERMINATION OF OWNERSHIP OF ESTATE PROPERTY

COUNSEL:

CHRISTINE RAMEY	(PET)...	JEFFREY C MAYES
ABEL A GONZALES	(DEC)...	
SENNI GONZALES	(MIN)...	MELVIN L FRIEDLAND
BITIA GONZALES	(MIN)...	MELVIN L FRIEDLAND
MIA J GONZALES	(OBJ)...	SAMUELS, GREEN, STEEL, &ADAMS,
MELVIN L FRIEDLAND	(MELVIN L FRIEDLAND)...MELVIN L

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Petition for order determining ownership of estate property (Pr.C. 850), directing transfer of property, and for Pr.C. 859 damages.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is special administrator.
2. Petitioner alleges that respondent, Christian Hensley, wrongfully possesses estate personal property including a 2006 Honda Accord and rental income.
3. Petitioner requests recovery of the property by the estate and double damages pursuant to Pr.C. 859.
4. Petition adds that respondent has made contacts with brokers regarding an attempt to sell estate real property and attempts to take estate bank accounts.
5. Petitioner also requests an injunction against respondent to prevent "further misconduct and interference with the Estate." Question whether an injunction

can be made to prevent illegal activity and whether the description of the activity to be enjoined is sufficiently specific.

6. Only mail service has been made. Need proof of personal service upon respondent per Pr.C. 851(a).

RECOMMENDATION

Need proper notice, then set for evidentiary hearing.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/07/08 TIME: 1:30 DEPT: E1

CASE #: PROPS0701047

CASE NAME: MTR ABEL A GONZALES

SEE ALSO 27 & 28

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

CHRISTINE RAMEY	(PET)...	JEFFREY C MAYES
ABEL A GONZALES	(DEC)...	
SENNI GONZALES	(MIN)...	MELVIN L FRIEDLAND
BITIA GONZALES	(MIN)...	MELVIN L FRIEDLAND
MIA J GONZALES	(OBJ)...	SAMUELS, GREEN, STEEL, & ADAMS,
MELVIN L FRIEDLAND	(MELVIN L FRIEDLAND)...MELVIN L

GENERAL INFORMATION

Special administration granted 11/6/07, \$160,000 bond.

Continued from 12/19/07 at the request of attorney Mark Roberts to file objections by 1/16/08.

Continued from 1/30/08 and set for trial 5/7/08.

Atty Melvin Friedland appointed GAL for minors Senni & Bitia Gonzalez 3/6/08.

THIS CASE IS SET FOR HEARING ON

Amended petition for letters testamentary, full authority. (Originally filed as a petition for letters of administration, amendment later filed attaching will and changing request to letters testamentary.)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The pour-over will conditionally incorporates the terms of decedent's trust. Need verified supplement providing copy of trust as part of the document to be probated. Will also need supplement to section 9 of petition listing all entities named in will and proof of service for same.
2. Petitioner is named in will as the alternate executor. The primary named executor was decedent's spouse but petitioner alleges that the spouse has

been arrested for the murder of decedent. Until adjudication of guilt, however, spouse is primarily entitled to appointment. Need declination to act by spouse. Alternatively, court could find that spouse received notice of this petition and failed to act. JTD.

3. Will waives bond.
4. Will is not self-proving (witnesses did not sign under penalty of perjury). Need proof of subscribing witness.
5. **Objections filed by Mia Gonzalez.**

RECOMMENDATION

Stipulation and Proposed Order re: Continuance of Petitions to Determine Ownership of Property and Petition for Letters of Administration filed, indicating parties are close to a global resolution to all claims. Petitioners request 90-day continuance. Judge to decide.

(/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **PROBATE**

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: BPRBS00846

CASE NAME: LARRY EDWARD PORTER

HEARING:

SECOND Account and Report of SUSAN RETTING and Petition for allowance of fees filed.

COUNSEL:

GEORGE W PORTER (PET)...JAMES C HUSEMAN
LARRY EDWARD PORTER (DEC)...
SUSAN RETTING (PET)...JAMES C HUSEMAN

GENERAL INFORMATION

continued from 10/24/07 at request of counsel. Nothing new filed.
Continued from 1-8-08. Nothing new filed.

Continued from 2/13/08 at request of counsel.

Continued from 4/2/08. No appearance. Court ordered Susan Retting and atty James Huseman to personally appear at next hearing. Clerk mailed notice. Nothing new filed.

THIS CASE IS SET FOR HEARING ON 2nd accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Prior administrator died 3/23/06. Petitioner, sole heir, was appointed successor administrator 4/25/06.
2. First accounting by petitioner filed on 6/22/06 was not calendared and thus never approved by the court.
The following are issues re 1st accounting:
 - a. Accounting period covers 12/20/04 – 5/16/06. Decedent died 10/3/04.
 - b. Report merely states that the estate consists of cash and investment shares. Petitioner makes no allegations per Pr.C.§1064
 - c. Cannot determine if accounting is in balance. Need a summary of account and schedules in support of the summary in accord with Pr.C.§§1061, 1062.

- d. On 11/7/05 there are net proceeds from the sale of residence. Need copy of escrow statement.
 - e. Need copies of bank statement per local rule 20-908.
- 3. 2nd accounting period covers 5/16/06 – 7/17/07.
 - a. Report merely states that no withdrawals or disbursements have been made. Petitioner makes no allegations per Pr.C.§1064
 - b. Cannot determine if accounting is in balance. Need a summary of account and schedules in support of the summary in accord with Pr.C. §§1061, 1062.
 - c. Need proper accounting and report of administration.
- 4. Petitioner makes no allegation in either accounting as to why the administration should continue or why the estate cannot be closed. Question why this administration cannot be closed.

RECOMMENDATION:

Need proper accounting.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600030

CASE NAME: JAMES A SMITH

HEARING:
Waiver of account and for final distribution.

COUNSEL:
STANLEY B SMITH (PET)...REDWINE AND SHERRILL
JAMES A SMITH (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Petition for final distribution upon waiver of account and for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration issued 12/6/06.
2. Petitioner states that decedent had not filed taxes for years and that taxes may be due for years 2004-2006 but that a determination cannot be made until certain business entities file their taxes. Petitioner states that an accountant estimates that decedent's tax liability could be \$50,000 and petitioner requests a reserve in that amount. Question whether the estate is ready to close with such significant tax issues outstanding. JTD.
3. Petitioner and atty each request \$33,345.78 statutory fees. Calculated.

RECOMMENDATION

RFA subject to note 2. if approved, set hearing re receipts and final discharge for 5/13/09.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600124

CASE NAME: ESTATE OF THERESA JEAN HAGGARD

HEARING:
Accounting Review

COUNSEL:
KATHRYN M HAGGARD (PET)...LAW OFFCS OF LOUIS A STEARNS
THERESA JEAN HAGGARD (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 2/28/07, no bond.
2. Need accounting or status report.

RECOMMENDATION

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600284

VACATE – STATUS REPORT FILED AND SET FOR 6/17/08

CASE NAME: ESTATE OF TIMOTHY COLE COLEMAN

HEARING:
Accounting Review

COUNSEL:
COLLEEN COLEMAN (PET)...DIANE E ROBBINS
TIMOTHY COLE COLEMAN (DEC)...
BENJAMIN COLEMAN (PET)...GRESHAM SAVAGE NOLAN & TILDEN
STATE OF CALIFORNIA FRANCHISE (AGN)...

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700006

CASE NAME: EVELYN S LEE

HEARING:
Petition for SETTLEMENT OF FIRST AND FINAL ACCOUNT OF ESTATE, ETC

	COUNSEL:
TESSA HENRY	(PET)...MEDEIROS & ASSOCIATES
EVELYN S LEE	(DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
First and final account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need notice of hearing and proof of service.
2. Letters of administration issued 8/28/07.
3. Petitioner requests that the bond be exonerated. The bond cannot be exonerated until all receipts are filed and petition for final discharge is granted. Suggest court deny this petition of the petition.
4. Petitioner states that a creditor's claim for \$2,496.74 has been filed by Marshal Franklin and will be paid.
5. Petitioner requests \$3,483.37 reimbursement for costs advanced. Itemized. Ok.
6. Petitioner request \$2,200 statutory fees. Calculated. Appears ok.
7. Atty requests \$2,200 statutory fees plus \$60.50 costs advanced. Itemized. Ok.

RECOMMENDATION

RFA. If approved, court to set hearing on filing receipts and final discharge for 5/13/09
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700026

CASE NAME: HUMBERTO V HURTADO

VACATED- FINAL I&A FILED.

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
JESSE HURTADO (PET)...DAVID M GROSSMAN
HUMBERTO V HURTADO (DEC)...

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700538

CASE NAME: HAZEL MILLER

HEARING:

FIRST AND FINAL Account and Report of JOHN H MILLER and Petition
for allowance of fees filed.

COUNSEL:

JOHN H MILLER	(PET)...	BRUCE R DURKEE
HAZEL MILLER	(DEC)...	

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

First and final account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters testamentary issued 7/30/07.
2. Petitioner requests \$15,173.42 reimbursement for costs advanced.
Itemized.
3. Petitioner and atty each request \$9,920 statutory fees. Calculated. Appears
ok.
4. Petitioner requests \$3,000 reserve for closing costs.
5. Estate is not liquid. A bequest of \$75,000 was to be shared by three
beneficiaries and the real property (the only substantial estate) was left to a
fourth (Mark Miller). Petitioner requests authority to distribute the house to
Mark Miller who will provide the cash necessary for the \$75,000 bequests,
fees, cost reimbursement, and reserve. Proposed \$211,015.65 note
provided. Issues:
 - a.. Proposed distribution appears to be incorrect. Petitioner has
calculated the proposed distribution as \$75,000 to *each* (not shared)
of three cash beneficiaries to the three beneficiaries, then reduced it
to be not less than 50% of the net value of the estate. However, the
will states that "at least \$75,000 but not more than 50% of the net

value of the estate at the close of probate, to be *shared* by [the three beneficiaries]” (Will, p. 1, Article III.A.1., tabbed in file, emphasis added.) Also, as a result, the note to be taken on the home by the real property devisee appears to be far too large. **Supp: The Will states that the executor shall determine an amount of at least \$75,000 but not more than 50% of the net value of the estate. Fifty percent has been determined to be \$134,984.35 to be shared by the three cash beneficiaries.**

- b. Appears that petitioner proposes that the devisee of the real property (Mark Miller) pay all of the costs of administration (commissions, fees, expenses, reserve) because those are to be paid by the note taken on the real property by Mark Miller. On what basis does this beneficiary bear all of these expenses (as opposed to them generally being borne by the estate prior to distribution). If there are insufficient assets to pay for them prior to satisfaction of specific bequests, do ademption issues become relevant? **Supp: Ademption issues do not apply. The source of funds used to make specific bequest are to come from a new mortgage on the Fontana home. In addition, the costs of administration was contemplated when she prescribed using the “net value” of the estate for calculating the cash bequests. All specific cash beneficiaries and the legatee have consented to the proposed distribution and the consents are on file.**

RECOMMENDATION

Court’s discretion. If approved, court to set hearing on filing receipts and final discharge for 5/13/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700652

CASE NAME: HAZEL WARD

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

DARLINE MALONE	(PET)...	LEGRAND H CLEGG
HAZEL WARD	(DEC)...	
MELVIN HEMPHILL	(TP)...	PRO/PER

GENERAL INFORMATION:

Petitioner, Darline Malone, was appointed executor on 10/11/07 (full authority, no bond).
However, Order and Letters have not yet issued.

Continued from 1/10/08. Nothing new filed.

Continued from 4/2/08. Court noted that order has not been signed and letters have not issued. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No inventory is filed. However, as letters have not yet issued, an inventory is premature. **Proposed order/letters are submitted for issuance.**

RECOMMENDATION:

Court's discretion. Court may wish to continue the inventory matter 90 days.
(gls)

FUTURE HEARING DATES:

9/11/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700654

CASE NAME: CHARLES RAY HEDLUND

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

SHERWOOD S GRANT (PET)...DAVID W BROWN
CHARLES RAY HEDLUND (DEC)...
STATE OF CALIFORNIA FRANCHISE (AGN)...

GENERAL INFORMATION

Continued from 2/27/08 at request of counsel. Client is not cooperative and counsel with substitute out. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Inventory & Appraisal.

THE FOLLOWING ISSUES AND / OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters Testamentary with full Independent Administration of Estates Act authority issued on 9/05/07. No bond.
2. No Inventory and Appraisal is filed. Need same.

RECOMMENDATION:

When Inventory and Appraisal is not filed as ordered, the court may set a hearing in accord with Pro. C. § 8804 (Administrator or Executor) and or §8505. No bonding company to notice.

Future Hearing Dates:

10/29/08 Accounting Review

kms

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701022

CASE NAME: MTR OF DORTHA MARIE CHURCH

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

STEVE GIARD (PET)...HARTNELL, LISTER & MOORE
DORTHA MARIE CHURCH (DEC)...

GENERAL INFORMATION :

Special administration granted 10/29/07.

Continued from 12/05/07 at request of counsel to clear notes. Nothing new filed.

Continued from 1/16/08 at request of counsel to clear notes. Nothing new filed.

Continued from 3/5/08 to clear notes. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition for letters testamentary, full authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Petitioner did not list all people named in will at section 9, whether deceased or not. (E.g., Dortha Hall, Roy Church [predeceased spouse], Rene La Velle.) Also need proof of service for any of those who survived petitioner.
3. Section 4.1 of will (p. 4) leaves residue of estate "to my heirs free of trust". Petitioner lists no known heirs. Question whether there is any residue of estate that was not specifically bequeathed and, if so, whether court wishes to require report of heir searcher? (Note that will makes reference to nieces Dortha Hall and Rene La Velle. Even if not living, the identity of these individuals could lead to other heirs-at-law.) Need verified supplement.

RECOMMENDATION

Need to clear notes.

Cbr/kms

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800030

CASE NAME: GILLMANN FAMILY TRUST

HEARING:

Petition for REMOVAL OF TRUSTEE JOHN R. GILLMANN, APPOINT
SUCCESSOR

COUNSEL:

DONNA HANEY (STE)...PORTER SIMON, P.C.

GENERAL INFORMATION

Continued from 2/20/08. Court questions jurisdiction as there is a Nevada trust. Counsel are to brief this issue and file/serve by 4/16/08. In addition, accounting is to be filed/served by 4/16/08.

THIS CASE IS SET FOR HEARING ON

Petition for removal of trustee and for appointment of successor trustee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Husband and wife trustors created trust in 1995 and subsequently amended it on dates unknown to petitioner. (Copy attached as Exhibit A to petition.) Trustors also had pour-over wills. Husband trustor died in 2006 and wife trustor died in 2007.
2. The trust instrument names trustors' son, John Gillmann (respondent), as co-trustee with BofA. The BofA has never acted and John is sole trustee. The terms of the trust leave 25% each to John and his three children.
3. Petitioner is the mother and holder of power of attorney for Kimberly, one of the 25% beneficiaries, daughter of trustee John and granddaughter of the deceased trustors.
4. Petitioner alleges that trustee is mismanaging and misappropriating the trust assets, failing to liquidate trust real property, failing to make distributions, using trust assets and cash for his own benefit, renting trust real property and keeping the proceeds, etc.

5. Petitioner requests removal of trustee, appointment of BofA as successor, order requiring trustee to account, for surcharge of trustee, and order instructing BofA to immediately take control of the trust assets and make distribution. Issues (need verified supplement or P&As):
 - a. Need proof of personal service for BofA (30 days per Pr.C. 17203(b)) or waiver.
 - b. Has BofA consented to successor appointment?
 - c. It is unclear whether an order requiring immediate distribution would be appropriate.
6. The trust instrument specifies that Nevada law is controlling. (The trust contains Nevada and California real property.) Nevada statutes are cited and copies are attached (see Exhibit E.) Appears to be parallel to California law. Note that Nevada substantive law and California procedural law will apply (except as to California real property, to which California substantive law will apply per the trust terms).
7. **Respondent's counsel raised an issue re California jurisdiction at a prior hearing. The parties were directed to brief the issue by 4/16/08. Petitioner filed P&As and a declaration on 4/15/08 supporting California jurisdiction.**
8. Petition requests relief that must be proved (e.g., surcharge). Need evidentiary hearing.

RECOMMENDATION

Need to clear notes then set for evidentiary hearing.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800106

CASE NAME: GRISELDA CARRILLO

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

ORLANDO CHAVEZ	(PET)...PRO/PER
GRISELDA CARRILLO	(DEC)...

GENERAL INFORMATION:

Continued from 4/2/08. Court advises petitioner to seek legal advice to help him with clearing the probate calendar notes. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition for Probate of Will and for Letters Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Will is executed with an "X". It is not clear whether the testator is the one who signed with the "X". Need points and authorities to show how "X" meets the validity requirements of Pr.C. §6110.
3. Need proof of subscribing witness.
4. Need to know ages of decedent's children or whether they are all adults?
File verified supplement.
5. Need to file notice of petition to administer estate and proof of service.
6. Need to file proof of publication.

RECOMMENDATION:

Need to clear notes.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800278

CASE NAME: ROY E. BAKER

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

JAMIE RICE
ROY E. BAKER

(PET)...LAW OFFICES OF RIPLEY & ASSC.
(DEC)...

GENERAL INFORMATION:

Special letters of Administration granted 3/26/08 (no bond)

THIS CASE IS SET FOR HEARING ON Petition for Probate of Will and for Letters
Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Petitioner alleges a copy of decedent's Will dated 7/24/84 is affixed as Attachment 3e(2). However, no attachment is affixed. Need same.

RECOMMENDATION:

Need to clear notes 2 and 3. If approved, set hearing on the filing of an inventory and appraisal for 12/10/08. Set hearing on accounting review for 7/15/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800282

CASE NAME: VIRGINIA O. BROWNING REVOCABLE TRUST

HEARING:

Petition for ORDER CONFIRMING SUCCESSOR TRUSTEE & PETITION
CONFIRMING SPECIFIC ASSETS

COUNSEL:

DIANE M ETHELLES (STE)...DAVID W BROWN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Order Confirming Successor Trustee
and Confirming Specific Assets as Assets of the Trust

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Diane Etchells, Successor Trustee of the Virginia O. Browning Revocable Trust dated 4/29/96. The settlor served as the original trustee and petitioner was named as successor trustee as Diane Etchells (nee, Beitzel). The original settlor died on 9/26/07. Certain items of real and personal property were listed on the Schedule of Trust Assets, yet none of the assets listed on the schedule were specifically entitled into the name of the trust. Petitioner requests that the court find that the items listed on the Schedule of Trust Assets be found to be trust property pursuant to the authority under Estate of Heggstad 16 Cal. App. 4th 943.
2. No opposition is filed at the time of the review of this file.

RECOMMENDATION:

Court's discretion.

(gl)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800290

CASE NAME: JOHN RICHARD SULLENS

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

JEFFERY REID SULLENS (PET)...MIRNA EL HAZIN, ESQ
JOHN RICHARD SULLENS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by son

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual beneficiaries have waived bond
2. Need to file notice of petition to administrator estate and proof of service.
3. Need to file proof of publication.

RECOMMENDATION:

Need to clear notes 2 & 3. If approved, set hearing on the filing of an inventory and appraisal for 12/10/08. Set hearing on accounting review for 7/15/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800294

CASE NAME: ELTON "JOE" OLINGHOUSE

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

CORI TYSON OLINGHOUSE (PET)...CLIFTON E REED
ELTON "JOE" OLINGHOUSE (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is sole heir and waives bond
2. Need to file notice of petition to administer estate and proof of service.
3. Need to file proof of publication. Atty files declaration with proof of publication. However, declaration is not verified by either the attorney or the newspaper.

RECOMMENDATION:

Need to clear notes 2 & 3. If approved, set hearing on the filing of an inventory and appraisal for 12/10/08. Set hearing on accounting review for 7/15/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800302

CASE NAME: MTR OF JOHN HERBERT MARQUARDT

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

LINDA A STEJSKAL (PET)...A MERLE SESSIONS
JOHN HERBERT MARQUARDT (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by sister

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the sole heir and waives bond. JTD
2. Petitioner has not completed item 6 of the petition. However, it appears from the information in the petition that 6(b) is the appropriate box in that "decedent was survived by issue of deceased parents..." Does court wish to require corrected petition or allow attorney to interlineate? JTD

RECOMMENDATION:

RFA subject to note 2, no bond. If approved, court to set hearing on the filing of the inventory and appraisal for 12/10/08. Set hearing on accounting review for 7/15/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: RPRRS03006

CASE NAME: ESTATE OF SHARRI KAY MATHEWS

HEARING:
Hearing Re: PROOF OF BLOCKED ACCOUNT.

COUNSEL:
NOEL B MATHEWS (PET)...LEE BROWN
SHARRI KAY MATHEWS (DEC)...

GENERAL INFORMATION:

On 2/27/08, the court confirmed the sale of real property and ordered the net proceeds of the sale to be placed in a blocked account.

THIS CASE IS SET FOR HEARING ON filing Proof of Blocked Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No proof of blocked account is filed.

RECOMMENDATION:

Find out status.

(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: RPRRS03064

CASE NAME: MARTHA C RONQUILLO

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

ALFRED RONQUILLO (PET)...TARUS M GREE N
MARTHA C RONQUILLO (DEC)...
STATE OF CALIFORNIA FRANCHISE (AGN)...
DEPARTMENT OF HEALTH SERVICES (TP)...

GENERAL INFORMATION

The Public Administrator was appointed Successor Administrator on 1/7/08

Continued from 12-18-07 and 3/25/08 for counsel to clear notes. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No inventory and appraisal filed to date.

RECOMMENDATION:

Find out status.

(/vet/gls)

FUTURE HEARING DATES:

6/17/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS002704

CASE NAME: ESTATE OF THELMA JEAN MULLER

SEE ALSO 21 & 22

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
JUANITA LEE MORENO (PET)...ROSENSTEIN WILSON & DEANP.L.C.
THELMA JEAN MULLER (DEC)...
JULIAN MULLER (OBJ)...HAROLD S NELSON

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Partial No. 1 Inventory and Appraisal is filed. Need final inventory. A final inventory is likely premature in light of the fact that there is a pending petition to determine ownership in real property currently set for Trial on 7/21/08.

RECOMMENDATION:

Court may wish to trail this matter to 7/21/08 for determination of ownership to real property.
(gls)

FUTURE HEARING DATES:

7/17/08 Readiness Calendar
7/21/08 Court Trial

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS002704

CASE NAME: ESTATE OF THELMA JEAN MULLER

SEE ALSO 20 & 22

HEARING:
Accounting Review

COUNSEL:
JUANITA LEE MORENO (PET)...ROSENSTEIN WILSON & DEANP.L.C.
THELMA JEAN MULLER (DEC)...
JULIAN MULLER (OBJ)...HAROLD S NELSON

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner was appointed Administrator with Will Annexed on 2/28/07 with bond of \$20,000 and requirement that funds are to be placed in a blocked account. Letters were issued 9/5/07.
2. There is a Court Trial calendared for 7/21/08 as to Petition to Determine Ownership to Real Property.

RECOMMENDATION:

Court may wish to trail this matter to 7/21/08 for determination of ownership to real property.
(gls)

FUTURE HEARING DATES:

7/17/08 Readiness Calendar
7/21/08 Court Trial

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS002704

CASE NAME: ESTATE OF THELMA JEAN MULLER

SEE ALSO 20 & 21

HEARING:
Status Conference

COUNSEL:
JUANITA LEE MORENO (PET)...ROSENSTEIN WILSON & DEANP.L.C.
THELMA JEAN MULLER (DEC)...
JULIAN MULLER (OBJ)...HAROLD S NELSON

No notes – Status Conference.

FUTURE HEARING DATES:
7/17/08 Readiness Calendar
7/21/08 Court Trial

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS002808

CASE NAME: ESTATE OF FAY EDITH GRAVES

VACATED- FINAL DISCHARGE APPROVED AND SUBMITTED FOR SIGNATURE.

HEARING:
Hearing Re: Receipts and Final Discharge.

	COUNSEL:
FAITH KIRALLA	(PET)...RUDY AGUIRRE
FAY EDITH GRAVES	(DEC)...
GEORGE GRAVES	(PET)...SHERRI L KASTILAHN

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS002896

CASE NAME: ESTATE OF KENNETH ADAMS

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

JUNE JARAMILLO (PET)...JAMES BRUCE MINTON
KENNETH ADAMS (DEC)...
MARION BEVIS (OBJ)...ZUMBRUNN LAW CORPORATION
CALDWELL, KENNEDY & PORTER (CALDWELL, KENNEDY & PORTER,
A.)...CALDWELL,

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final Inventory is filed. However, date of death is 1/17/1992 and values used are for a period ending 12/31/07. Need values as of date of death. Need corrected inventory and appraisal.

RECOMMENDATION:

Need corrected inventory to reflect date of death values.
(gls)

FUTURE HEARING DATES:

9/10/08 Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS003016

CASE NAME: ESTATE OF PATRICIA L GROTHEM

HEARING:

Accounting Review

COUNSEL:

JENNIFER COLE (PET)...JOHN L WELCH
PATRICIA L GROTHEM (DEC)...

GENERAL INFORMATION:

On 9/26/07 matter came on for I&A and this hearing was confirmed.

Continued from 10/17/07 at request of counsel to file I&A.

Continued from 12/5/07 at request of counsel to clear notes. Court noted no more continuances. Nothing new filed.

Continued from 1/23/08 as Jennifer Cole was not present. Court ordered Jennifer to appear and show cause why sanctions should not be imposed for failure to appear and/or failure to file required documents. OSC re suspension set. Motion to be relieved as counsel filed by John Welch. Notice was mailed to Jennifer Cole on 1/23/08 and 02/04/08; both returned. New notice was mailed on 02/15/08 to new address in Tucson, AZ

Last continued from 3/5/08 at request of counsel. Counsel to file new address sheet. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Probate petition granted 8/11/06, no bond required.
2. No accounting filed. Need accounting or probate status report.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq. No bonding company to notice.
(abs/kms/gls/cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS003104

CASE NAME: ESTATE OF NICHOLAS LABARRE, JR

HEARING:
Accounting Review

COUNSEL:
ROLLINDA STONE (PET)...FULLERTON LEMANN SCHAEFER & DO
NICHOLAS LABARRE JR (DEC)...

GENERAL INFORMATION:

Continued from 10/17/07 at request of counsel. Nothing new filed.

Continued from 1/09/08 and 3/5/08 at request of counsel to file status report or accounting. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Probate petition granted 8/11/06, no bond required.
2. No accounting and/or status report filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq. No bonding company to notice.

Kms/gls

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS003234

CASE NAME: ESTATE OF RONALD ROY HOGLUND

SEE ALSO 27A

HEARING:

FIRST AND FINAL Account and Report of GAIL ANN WILLIAMS and
Petition for allowance of fees filed.

COUNSEL:

CHARLES W YAEGER (PET)...PHILIPSON & ERDMIER
RONALD ROY HOGLUND (DEC)...
GAIL ANN WILLIAMS (SA)...MCINTIRE LAW CORP
DORIS B & CHARLES W YAEGER REV(TP)...PHILIPSON & ERDMIER
LAW OFFICES OF PHILIPSON & ERD(PHILIPSON & ERDMIER
)...PHILIPSON

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Final
Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests statutory compensation of \$10,964.15. Ok.
2. Attorney requests statutory fees of \$10,964.15 to be split \$2,385 to Philipson & Erdmier and \$8,589.15 to Michael McIntire per stipulation. Ok.
3. Attorney requests extraordinary fees of \$1,687.50 for services rendered in preparation of irrevocable trusts as depositories for the distributions to the minor heirs in this estate. Billed at \$225/hour for 7.5 hours. Itemized. JTD
4. Attorney Steven Albertson, as guardian ad litem, requests fees of \$1,100 for services rendered in representing minors' interests in reviewing the irrevocable trusts as depositories for distributions to the minor heirs. Billed at \$250/hour for 4.4 hours. Itemized. JTD

5. Petitioner requests authority to withhold \$7,500 as a reserve for closing costs and tax preparation/liability. Ok.
6. Need copy of investment statement(s) to support balance of cash on hand per local rule 20-908.
7. Bank statements to support Inventory values are filed. However, the balances in Morgan Stanley and Putnam accounts do not match inventory amounts. The difference is de minimus and may be interest fluxuation. Does court wish to require reconciliation? JTD

RECOMMENDATION:

Need to clear notes 6-7. If approved, court to set hearing on filing receipts and final discharge for 5/13/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS003234

CASE NAME: ESTATE OF RONALD ROY HOGLUND

SEE ALSO 27

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:

CHARLES W YAEGER (PET)...PHILIPSON & ERDMIER
RONALD ROY HOGLUND (DEC)...
GAIL ANN WILLIAMS (SA)...MCINTIRE LAW CORP
DORIS B & CHARLES W YAEGER REV(TP)...PHILIPSON & ERDMIER
LAW OFFICES OF PHILIPSON & ERD(PHILIPSON & ERDMIER
)...PHILIPSON

See prior notes (matter 27)

Superior Court of Calif, County of San Bernardino

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CIVCAL4

Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

CONSERVATORSHIP

DATE: 05/07/08

TIME: 10:30

DEPT: E2

CASE #: CONPS0700130

CASE NAME: RICCI MICHELLE RINNANDER

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

JANICE HILTON-LEBLANC (PET)...HARTNELL, LISTER & MOORE

RICCI MICHELLE RINNANDER (PCE)...

GENERAL INFORMATION:

Continued from 11/28/07 at request of counsel as I&A has not been presented to the probate referee.

Continued from 01/09/08 and 3/5/08 at request of counsel to file complete Inventory and Appraisal.

THIS CASE IS SET FOR HEARING ON inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of conservatorship, person and estate, granted 8/8/07.
2. Partial No. 1 I&A filed. However, need to file notice of filing such inventory and notice of how to object to inventory per Pr.C. §2610.
3. Need Final Inventory. On 2/4/08, court granted authority to initiate action to represent conservatee in the dissolution of her marriage and to employ counsel. Court may wish to inquire whether a final inventory may be delayed until the dissolution issues are resolved.

RECOMMENDATION

Need to clear note 2. Inquire re status of final inventory. When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr. C. § 2614.5.

Future Hearing Dates:

10/08/08 Accounting Review

(/KRA/cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700232

CASE NAME: MARIA CELIA ANGULO

HEARING:
Accounting Review

COUNSEL:
ROSARIO BELTRAN (CP)...PRO/PER
MARIA CELIA ANGULO (CTP)...

GENERAL INFORMATION

Continued from 4/9/08. Petitioner appears telephonically and requests a continuance as conservatee is under hospice care and at the hospital. Court orders an accounting to be filed.

THIS CASE IS SET FOR HEARING ON
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Temporary conservatorship of person only granted 10/4/07. Letters of temporary conservatorship, person only, issued 10/10/07.
2. General conservatorship petition was continued a few times then dismissed by the parties.
3. On 2/6/08, the court vacated the order of dismissal on the basis that the temporary conservator owed an accounting for the period of temporary conservatorship and this accounting review was set. **Court clarified that temporary conservator and petitioner was payee of social security income and court ordered an accounting for the money taken and used.**

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800076

CASE NAME: DOMONIQUE NICOLE TALBERT BRUST

HEARING:
Petition for Appointment of Conservator

COUNSEL:
DR. KENNETH BRUST (CP)...PRO/PER
DORIS BRUST (CP)...PRO/PER
DOMONIQUE NICOLE TALBERT BRUST(CTP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, person only, by parents

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners allege proposed conservatee is developmentally disabled. Need to appoint counsel for proposed conservatee per Pr.C. §1471
2. Petitioners request medical powers. Need to file medical capacity declaration.
3. Need to file notice of hearing and proof of service.
4. Petitioners allege proposed conservatee will attend the hearing. Alternatively, need return of Citation.
5. Need Court Investigator's report.
6. Need IRC report.

RECOMMENDATION:

Need appointment of counsel for proposed conservatee. Need to clear remaining notes.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800084

CASE NAME: ESCOLASTICA GUEVARA

HEARING:
Petition for Appointment of Conservator

COUNSEL:
BELEN A GUEVARA (CPE)...JAMES L MIGLER
ESCOLASTICA GUEVARA (CEP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, person and estate by son

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests bond be fixed at \$20,000. However, with the estimated value of personal property and bond recovery costs (CRC 7.207), bond should be fixed at \$28,000. JTD
2. Petitioner requests medical powers. Need to file medical capacity declaration.
3. Proposed conservatee is unable to attend the hearing. Need to file medical capacity declaration.
4. Need to file notice of hearing and proof of service.
5. Need return of Citation.
6. Need Court Investigator's report.
7. Need to file Duties of Conservator.

RECOMMENDATION:
Need to clear notes.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 10:30 DEPT: E2

CASE #: RC RS00562

CASE NAME: CYNTHIA CASTANEDA

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

MARIA FLORENCE CASTANEDA (PET)...PRO/PER
CYNTHIA CASTANEDA (CEP)...MITCHELL I ROTH
RAY CASTANEDA (OBJ)...EUCLID LAW CENTRE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final Inventory is filed indicating a zero value; petitioner alleges there are no assets of the estate.
2. Need to file notice of filing of inventory and notice of how to object and proof of service per Pr.C. §2610.

RECOMMENDATION:

Need to clear note 2.

(gls)

FUTURE HEARING DATES:

11/25/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 10:30 DEPT: E2

CASE #: VC VS00274

CASE NAME: MTR OF SETH ANDREW GREER III

HEARING:
Accounting Review

COUNSEL:
LORRI LYNN GREER (PET)...CALDWELL, KENNEDY & PORTER, A.
SETH ANDREW GREER III (PCE)...

GENERAL INFORMATION:
Accounting and/or Waiver of Accounting is due for the period 12/6/05 – 12/5/07

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:
When an accounting is not filed as required, the court shall take action as specified in
Pr.C. § 2620.2.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 10:30 DEPT: E2

CASE #: VC VS00418

CASE NAME: MTR OF CLIFFORD LEPISTO

HEARING:

FIRST AND FINAL Account and Report of CLIFFORD LEPISTO and
Petition for allowance of fees filed.

COUNSEL:

JAN LEPISTO (PET)...PRO/PER
CLIFFORD LEPISTO (PCE)...SHERRI L KASTILAHN

GENERAL INFORMATION:

Accounting covers period: 3/18/04 – 12/5/05 and 12/6/05 – 9/5/07

Assets on hand: \$79,773.76 (cash of \$1,360.30 and the balance in real property value)

Continued from 1/30/08. Court notes this is the last continuance.

Last continued from 3/5/08. The court approves attorney's fees of \$7,950 plus costs advanced. Attorney Kastilahn agrees to be paid after the sale of the house. The matter is continued to address note 3. Court orders petitioner to mail to Attorney Kastilahn all bank statements re conservatee's account by 3/12/08. Court reserves jurisdiction over surcharge and reimbursement issue. Nothing new filed.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Attorney's fees and for surcharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The conservatee died on 5/24/07. Attorney was the court-appointed attorney for conservatee and was ordered to prepare the accounting. Petitioner notes that accounting ending 12/5/05 is out of balance by \$822.06. JTD
2. Attorney requests fees of \$7,950.00, plus costs advanced. Billed at \$200/hour for 39.75 hour. Fees and costs are itemized. Court approved these fees and costs on 3/5/08.

3. **Petitioner requests that the court reserve issue of surcharge against Jan Lepisto as there are several entries in the accountings as “unknown”.**
4. There is no allegation as to distributing the balance of the conservatorship assets and to whom. File verified supplement.

RECOMMENDATION:

Need to clear notes.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 10:30 DEPT: E2

CASE #: VC VS00526

CASE NAME: MATTER OF EVERLENA BATEMAN CULWELL DALZELL

HEARING:

FIRST Account and Report of SELENA PRUITT and Petition for allowance of fees filed.

COUNSEL:

SELENA PRUITT (CPE)...RIPLEY & ASSOCIATES
EVERLENA BATEMAN CULWELL DALZE(CEP)...PRO/PER

GENERAL INFORMATION:

Accounting covers period: 9/20/06 – 9/30/07

Assets on hand: \$85,000 (real property)

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service.
2. Petitioner does not seek compensation at this time.
3. Attorney does not seek compensation at this time.
4. Petitioner's verification is not dated. Need proper verification.
5. Petitioner has submitted a simplified accounting per CRC 7.575. However, the conservatorship estate holds interest to real property and thus, petitioner must file a standard accounting. Additionally, petitioner has not used the mandatory Judicial Council form Summary of Account (GC-400/405). Need to file proper accounting.

RECOMMENDATION:

Need to clear notes
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 10:30 DEPT: E2

CASE #: VC VS384

CASE NAME: IN THE MATTER OF PEGGY L KULAKOWSKI

HEARING:

FINAL Account and Report of YVETTE BOWMAN and Petition for allowance of fees filed.

COUNSEL:

MICHAEL KULAKOSWKI (PET)...CHRISTOPHER R ABERNATHY
PEGGY L KULAKOWSKI (PCE)...
YVETTE BOWMAN (CPE)...

GENERAL INFORMATION:

Continued from 8/8/07 at request of petitioner, Yvette Bowman, to clear notes. Nothing new filed.

Continued from 10/10/07 at request of counsel. Atty Jeanne Kennedy just substituted in as counsel for Yvette Bowman. Nothing new filed.

Continued from 11/28/07 and 1/9/08 for review of amended accounting.

Last continued from 3/5/08 at request of counsel to clear calendar notes.

THIS CASE IS SET FOR HEARING ON *Amended* Final Accounting of Conservator

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting covers period 6/13/03 – 6/07. Conservatee died on 8/26/05.
2. Assets on hand: \$31,798.94 (cash)
3. Petitioner alleges there was no inventory and appraisal filed. The former conservator provided the successor conservator with funds on hand in 11/03. Need original bank statements for the period beginning 6/13/03.
Supp: Petitioner was provided funds on hand in 11/03, but no bank statements were forthcoming from the prior conservator. Therefore, petitioner cannot provide original statements for the period 6/03-11/03. Question whether petitioner can request duplicates from the bank? Or alternatively, ask the bank for written verification of the balances as of the beginning period, or 6/13/08.
4. Petitioner requests fees of \$3,000. Generally itemized. Need amount of time spent and the hourly rate charged in support of fee request. **Supp: petitioner is unable to reconstruct actual time spent assisting her**

sister from June, 2003 to her death on August 26, 2005. Petitioner further alleges that petitioner assisted conservatee in the dissolution of her marriage and pursued the creation of a special needs trust for conservatee's benefit with the equalization from the dissolution.

5. Attorney requests fees of \$2,597.00. Billed at \$260/hour for attorney time and \$110/hour for paralegal time for a total of 15.20 hours. Itemized. JTD
6. Petitioner requests authority to deposit the remaining funds on hand into the attorney-client trust account until such time as Dept. of Health Services has been notified. If no claim is filed within four months, the funds shall be distributed to the conservatee's only son, James Kulakowski. DHS was notice of this accounting on 11/29/07. Question if DHS has made a response as to whether a claim will be filed? **Supp: DHS has not filed a claim. The claim period expired on 3/29/08.**
7. Petitioner prays for a proposed distribution. However, petitioner does not summarize this in the caption per local rule 20-601 in order that proper notice may be given. **Supp: The amended notice served prays for the proposed distribution which counsel alleges is sufficient notice to all interested parties.**
8. Need original bill statements from Pleasant Care per Pr.C. §2620(c)(5).

RECOMMENDATION:

Need to clear note 8 and then court's discretion. If approved, court to set hearing on filing receipts and final discharge for 5/13/09

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **MISC.**

DATE: 05/07/08 TIME: 1:30 DEPT: E2

CASE #: CONPS0700196

CASE NAME: DEREK ROBERT BEAVOR

SEE ALSO 36 & 36A

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JEFFREY RAY DOSS

COUNSEL:

JEFFREY RAY DOSS	(CPE)...PRO/PER
DEREK ROBERT BEAVOR	(CEP)...JEANNE KENNEDY
DEBORAH BEAVOR	(OBJ)...RITTER & LE CLERE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Conservatorship Compliance Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Order Appointing Conservator (person only) was granted on 2/20/08, no bond. Letters of Conservatorship have not yet issued.
2. Care Plan is filed and tabbed.
3. Subsequent Court Investigator's report is not due until after 8/20/08.

RECOMMENDATION:

Inquire re status of issuance of Letters of Conservatorship (person only). Set review date for subsequent CI report for 9/24/08.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 1:30 DEPT: E2

CASE #: CONPS0700196

CASE NAME: DEREK ROBERT BEAVOR

SEE ALSO 35 & 36A

HEARING:
Court Trial -- Estimated trial length *** hrs.

COUNSEL:
JEFFREY RAY DOSS (CPE)...PRO/PER
DEREK ROBERT BEAVOR (CEP)...JEANNE KENNEDY
DEBORAH BEAVOR (OBJ)...RITTER & LE CLERE

No notes – Court Trial

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/07/08 TIME: 1:30 DEPT: E2

CASE #: CONPS0700196

CASE NAME: DEREK ROBERT BEAVOR

SEE ALSO 35 & 36

HEARING:
Hearing Re: STATUS OF COUNSELING CLASS.

COUNSEL:
JEFFREY RAY DOSS (CPE)...PRO/PER
DEREK ROBERT BEAVOR (CEP)...JEANNE KENNEDY
DEBORAH BEAVOR (OBJ)...RITTER & LE CLERE

GENERAL INFORMATION

Continued from 01-09-08, 2/20/08 and 4/9/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Hearing re status of counseling class.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Orders were made at 1/9/08 MSC and the court set this review hearing.

RECOMMENDATION

None.